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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: December 13, 2005 Name: Anthony P. Curtis, Ph.D., 46,193 Signature:

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Andrew Graham et al.

Appln. No.: 10/533,215

Filed: April 28, 2005

For: NON-VOLATILE MEMORY CELL,  
MEMORY CELL ARRANGEMENT AD  
METHOD FOR PRODUCTION OF A NON-  
VOLATILE MEMORY CELL

Examiner: N/A

Art Unit: 2811

Attorney Docket No: 10808/230

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal Cover Letter (1p. Filed in Dup.); Request for Correction of Filing Receipt (2pp. Filed in Dup.); Copy of Filing Receipt with Corrections (3pp.); Copy of Declaration previously filed; Supplemental Information Disclosure Statement and PTO Form 1449 (3pp.); 1 Cited Reference (B2)
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

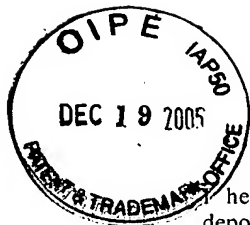
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

12/13/05

Respectfully submitted,

Anthony P. Curtis, Ph.D. (Reg. No. 46,193)



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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on December 13, 2005

Date of Deposit

Anthony P. Curtis, Ph.D., 46,193

Name of applicant, assignee or  
Registered Representative

Signature

12/13/05  
Date of Signature

Our Case No. 10808/230

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Andrew Graham et al.

Serial No. 10/533,215

Filing Date: April 28, 2005

For NON-VOLATILE MEMORY CELL,  
MEMORY CELL ARRANGEMENT AND  
METHOD FOR PRODUCTION OF A  
NON-VOLATILE MEMORY CELL

Examiner Not yet assigned

Group Art Unit No. 2811

### REQUEST FOR CORRECTION OF FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Application Processing Division  
Customer Correction Branch

Sir:

Applicant requests the issuance of a corrected filing receipt (copy enclosed) for the above-referenced patent application, and in support of this request respectfully states:

As listed on the Filing Receipt, Inventor Erhard Landoraf should be

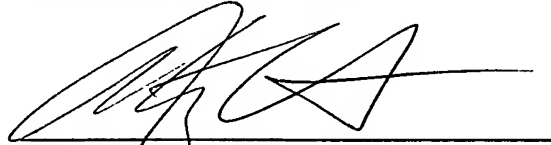
**"ERHARD LANDGRAF"** and inventor Thomas Schultz should be

**"THOMAS SCHULZ"** (See attached previously filed Combined

Declaration and Power of Attorney)

The Commissioner is hereby authorized to charge any fees required to  
Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'APC', is written over a horizontal line.

Anthony P. Curtis, Ph.D.  
Registration No. 46,193  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

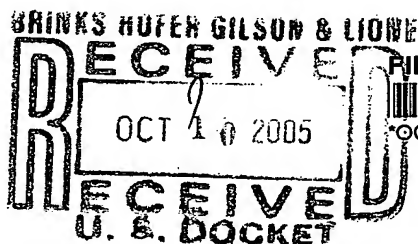


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/533,215	04/28/2005	2811	1200	10808/230	5	26	3

48581  
 BRINKS HOFER GILSON & LIONE  
 INFINEON  
 PO BOX 10395  
 CHICAGO, IL 60610



CONFIRMATION NO. 4095

FILING RECEIPT



\*OC000000017100932\*

Date Mailed: 09/28/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Andrew Graham, Munchen, GERMANY;  
 Franz Hofmann, Munchen, GERMANY;  
 Wolfgang Honlein, Unterhaching, GERMANY;  
 Johannes Kretz, Munchen, GERMANY;  
 Franz Kreupl, Munchen, GERMANY;  
 Erhard Landgraf, Munchen, GERMANY; *Erhard Landgraf*  
 Richard Johannes Luyken, Munchen, GERMANY;  
 Wolfgang Rosner, Ottobrunn, GERMANY;  
 Thomas-Schultz, Munchen, GERMANY; *Thomas Schultz*  
 Michael Specht, Munchen, GERMANY;

**Power of Attorney:** The patent practitioners associated with Customer Number 48581.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/DE03/03588 10/29/2003

**Foreign Applications**

GERMANY 102 50 829.1 10/31/2002

**Projected Publication Date:** 01/05/2006

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Non-volatile memory cell, memory cell arrangement and method for production of a non-volatile memory cell

**Preliminary Class**

257

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Infineon Ref No. P29878  
OC Ref No. 10808/230

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. § 119(e)).**

I hereby claim the benefit under Title 35, United States Code, § 119 (e) of any United States provisional application(s) listed below:

<b>Provisional Application Number</b>	<b>Filing Date</b>

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)  
UNDER 35 U.S.C. § 120**

I hereby claim the benefits under 35 USC § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<b>Appl. No.</b>	<b>Filing Date</b>	<b>Patented, Pending, Abandoned</b>
PCT/DE03/03588	October 29, 2003	Pending

**Power of Attorney:** As a named inventor, I hereby appoint the practitioners under Customer Number

**Customer No. 48581- Infineon Technologies**

jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent(s), to transact all business in the United States Patent and Trademark Office connected therewith and to act on my behalf before the competent International Authorities in connection with any and all international applications filed.

Please recognize or change the correspondence address for this application to the address associated with the above-mentioned Customer Number. Please direct all telephonic and facsimile communications to:

Anthony P. Curtis  
Tel.: (312) 321-4250; Fax: (312) 321-4299

I hereby declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further that



these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor: Andrew Graham	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: Great Britain	
Mailing Address: Gufidauner Str. 6, D-81547 München, Germany	

Full Name of Second Inventor: Franz Hofmann	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Herbergstr. 25B, D-80995 München, Germany	

Full Name of Third Inventor: Wolfgang Hönlein	
Inventor's Signature:	Date:
Residence: Unterhaching, Germany	
Citizenship: German	
Mailing Address: Parkstr. 8 A, D-82008 Unterhaching, Germany	

Full Name of Fourth Inventor: Johannes Kretz	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: Austrian	
Mailing Address: Tattenbachstr. 1, D-80538 München, Germany	

Full Name of Fifth Inventor: Franz Kreupl	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Mandlstr. 24, D-80802 München, Germany	

Full Name of Sixth Inventor: Erhard Landgraf	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Watzmannstr. 3, D-81541 München, Germany	

Full Name of Seventh Inventor: Richard Johannes Luyken	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Böcklerweg 28, D-81825 München, Germany	

Full Name of Eighth Inventor: Wolfgang Rösner	
Inventor's Signature:	Date:
Residence: Ottobrunn, Germany	
Citizenship: German	
Mailing Address: Sudetenstr. 23, D-85521 Ottobrunn, Germany	

Full Name of Ninth Inventor: Thomas Schulz	
Inventor's Signature: <i>Thomas Schulz</i>	Date: 8. April 2005
Residence: Austin, Texas, USA	
Citizenship: German	
Mailing Address: 2900 Sunridge Drive #1310, Austin, TX 78741, USA	

Full Name of Tenth Inventor: Michael Specht	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Schraudolphstr. 42, D-80799 München, Germany	



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jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent(s), to transact all business in the United States Patent and Trademark Office connected therewith and to act on my behalf before the competent International Authorities in connection with any and all international applications filed.

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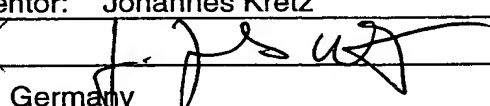
I hereby declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: Great Britain	
Mailing Address: Gufidauner Str. 6, D-81547 München, Germany	

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Inventor's Signature:	Date:
Residence: Unterhaching, Germany	
Citizenship: German	
Mailing Address: Parkstr. 8 A, D-82008 Unterhaching, Germany	

Full Name of Fourth Inventor: Johannes Kretz	
Inventor's Signature: 	Date: <del>X</del> 15.04.2005
Residence: München, Germany	
Citizenship: Austrian	
Mailing Address: Tattenbachstr. 1, D-80538 München, Germany	

Full Name of Fifth Inventor: Franz Kreupl	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Mandlstr. 24, D-80802 München, Germany	

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Full Name of Sixth Inventor: Erhard Landgraf	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Watzmannstr. 3, D-81541 München, Germany	

Full Name of Seventh Inventor: Richard Johannes Luyken	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Böcklerweg 28, D-81825 München, Germany	

Full Name of Eighth Inventor: Wolfgang Rösner	
Inventor's Signature:	Date:
Residence: Ottobrunn, Germany	
Citizenship: German	
Mailing Address: Sudetenstr. 23, D-85521 Ottobrunn, Germany	

Full Name of Ninth Inventor: Thomas Schulz	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Annette-Kolb-Anger 13/5, D-81737 München, Germany	

Full Name of Tenth Inventor: Michael Specht	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Schraudolphstr. 42, D-80799 München, Germany	

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Infineon Ref No. P29878  
OC Ref No. 10808/230

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**Customer No. 48581- Infineon Technologies**

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these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor: Andrew Graham	
Inventor's Signature: <i>X Andrew Graham</i>	Date: <i>X 19 April '05</i>
Residence: München, Germany	
Citizenship: Great Britain	
Mailing Address: Gufidauner Str. 6, D-81547 München, Germany	

Full Name of Second Inventor: Franz Hofmann	
Inventor's Signature: <i>X Franz Hofmann</i>	Date: <i>X April 12, 2005</i>
Residence: München, Germany	
Citizenship: German	
Mailing Address: Herbergstr. 25B, D-80995 München, Germany	

Full Name of Third Inventor: Wolfgang Hönlein	
Inventor's Signature: <i>X Wolfgang Hönlein</i>	Date: <i>X April 19, 2005</i>
Residence: Unterhaching, Germany	
Citizenship: German	
Mailing Address: Parkstr. 8 A, D-82008 Unterhaching, Germany	

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Residence: München, Germany	
Citizenship: Austrian	
Mailing Address: Tattenbachstr. 1, D-80538 München, Germany	

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Inventor's Signature: <i>X Franz Kreupl</i>	Date: <i>X April 19, 2005</i>
Residence: München, Germany	
Citizenship: German	
Mailing Address: Mandlstr. 24, D-80802 München, Germany	

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Full Name of Sixth Inventor: Erhard Landgraf	
Inventor's Signature: <i>X Erhard Landgraf</i>	Date: <i>X 12th April 2005</i>
Residence: München, Germany	
Citizenship: German	
Mailing Address: Watzmannstr. 3, D-81541 München, Germany	

Full Name of Seventh Inventor: Richard Johannes Luyken	
Inventor's Signature: <i>X R. Johannes Luyken</i>	Date: <i>X 12th April 2005</i>
Residence: München, Germany	
Citizenship: German	
Mailing Address: Böcklerweg 28, D-81825 München, Germany	

Full Name of Eighth Inventor: Wolfgang Rösner	
Inventor's Signature: <i>X Wolfgang Rösner</i>	Date: <i>X April 19, 2005</i>
Residence: Ottobrunn, Germany	
Citizenship: German	
Mailing Address: Sudetenstr. 23, D-85521 Ottobrunn, Germany	

Full Name of Ninth Inventor: Thomas Schulz	
Inventor's Signature:	Date:
Residence: München, Germany	
Citizenship: German	
Mailing Address: Annette-Kolb-Anger 13/5, D-81737 München, Germany	

Full Name of Tenth Inventor: Michael Specht	
Inventor's Signature: <i>X Michael Specht</i>	Date: <i>X April 19, 2005</i>
Residence: München, Germany	
Citizenship: German	
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